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16 **UNITED STATES DISTRICT COURT**

17 **CENTRAL DISTRICT OF CALIFORNIA – WESTERN DIVISION**

18 Medsquire, LLC

19 Plaintiff,

20 v.

21 Spring Medical Systems, Inc., et al.,

22 Defendants.

23 And Related Counterclaim

No. 2:11-cv-04504-JHN (PLAx)

Stipulation to Dismiss Indirect Infringe-
 ment Claims Asserted against all Defend-
 ants other than Quest Diagnostics, Inc. and
 Hewlett Packard Company

Judge: Hon. Jacqueline H. Nguyen

24 **WHEREAS**, Medsquire, LLC (“Medsquire”) asserted claims of indirect in-
 25 fringement against Quest Diagnostics, Inc. (“Quest”) in the First Amended Com-
 26 plaint, and Medsquire agreed to voluntarily dismiss such claims.
 27

1 **WHEREAS**, Medsquire is now willing to dismiss its similar claims of indirect
 2 infringement against the remaining defendants other than Hewlett Packard Compa-
 3 ny, namely Henry Schein Medical Systems, Inc.; Nextgen Healthcare Information
 4 Systems, Inc.; Aprima Medical Software, Inc.; eClinicalWorks, LLC; MED3000,
 5 Inc.; Pulse Systems, Inc.; Compulink Business Systems, Inc.; Navinet, Inc.; succes-
 6 sEHS, Inc.; and athenaHealth, Inc.

7 **Therefore, the parties through counsel stipulate as follows:**

8 (1) Medsquire's claims of indirect infringement against the following:

9 a) Henry Schein Medical Systems, Inc. at paragraphs 175-179 and 238-
 10 241 of the First Amended Complaint

11 b) Nextgen Healthcare Information Systems, Inc. at paragraphs 170-174
 12 and 234-237 of the First Amended Complaint

13 c) Aprima Medical Software, Inc. at paragraphs 185-189 and 246-249 of
 14 the First Amended Complaint

15 d) eClinicalWorks, LLC at paragraphs 190-194 and 250-253 of the First
 16 Amended Complaint

17 e) MED3000, Inc. at paragraphs 195-199 and 254-257 of the First
 18 Amended Complaint

19 f) Pulse Systems, Inc. at paragraphs 200-204 and 258-261 of the First
 20 Amended Complaint

21 g) Compulink Business Systems, Inc. at paragraphs 205-209 and 262-265
 22 of the First Amended Complaint

23 h) Navinet, Inc. at paragraphs 210-214 and 266-269 of the First Amended
 24 Complaint

25 i) successEHS, Inc. at paragraphs 215-219 and 270-273 of the First
 26 Amended Complaint; and
 27

j) AthenaHealth, Inc. at paragraphs 220-224 and 274-277 of the First Amended Complaint are dismissed without prejudice.

Provided, however, Medsquire may move for leave to reintroduce those claims, which leave will be granted only if Medsquire can establish good cause for doing so based on a newly learned or discovered fact(s) relating to each defendant's alleged knowledge of the patent in suit and specific intent to induce others' infringement.

(2) Each defendant has until October 25, 2011, to answer the remaining claims in the First Amended Complaint.

Dated: October 11, 2011

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